

CITY OF SAINT MARYS COUNCIL WORKSESSION

NOVEMBER 7, 2011

CALL TO ORDER

A Council worksession of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, November 7, 2011 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 11 LaFayette Street. Notice of this meeting was sent to Council on November 3, 2011, posted at City Hall, and published in the Daily Press.

ROLL CALL

Present: Mayor Sally Geyer, Richard Dornisch, Bob Roberts, Daniel Hepner, Steven Skok, and Manager David Greene. Dennis Nero was excused. Richard Gabler, Jr. arrived late.

VISITORS

Visitors included: Denny Andres, Richard Sadley, Kevin M. Hengst, Mike Brock, Ned Jacob, Warren Stewart, Mike Murgash, Carol Muhitch, Les Krug, and Darlene Lynch.

APPROVAL OF MINUTES
October 17, 2011

Richard Dornisch made a motion to approve the minutes of October 17, 2011, seconded by Daniel Hepner, and all were in favor.

Councilman Richard Gabler Jr. enters

Councilman Richard Gabler, Jr. enters at 7:01 p.m.

PUBLIC HEARING: Ordinance No. 268, re: Amending the Zoning Ordinance for Floodplain Management

Mayor Geyer opened the public hearing at 7:01 p.m.

This was a public hearing for Ordinance No. 268 regarding amending the Zoning Ordinance for Floodplain Management and in order for the City to continue to participate in the National Flood Insurance Program.

The Ordinance was duly advertised and placed on display at City Hall, The Daily Press, the Public Library and the Elk County Law Library.

There were no public comments.

Mayor Geyer closed the public hearing at 7:03 p.m.

PUBLIC HEARING: Ordinance No. 269, re: Amending the Zoning Ordinance for Oil and Gas Development

Mayor Geyer opened the public hearing at 7:03 p.m.

This was a public hearing for Ordinance No. 269 regarding amending the Zoning Ordinance for Oil and Gas Development.

The Ordinance was duly advertised and placed on display at City Hall, The Daily Press, the Public Library and the Elk County Law Library.

Mike Brock asked Council to please pass the Ordinance.

Mayor Geyer closed the public hearing at 7:04 p.m.

CITIZEN COMMENTS ON AGENDA TOPICS

There were no citizen comments on agenda topics.

CITY OF SAINT MARYS COUNCIL WORKSESSION

NOVEMBER 7, 2011

LEGISLATIVE ACTION**Consider for Adoption:**

Ordinance No. 268, re: Amending the Zoning Ordinance for Floodplain Management

Ordinance No. 268 was presented amending the City of Saint Marys Official Zoning Ordinance of 2005, City Code, Chapter 27, Zoning, Part 1, Section 112 Definitions; Part 2, Section 230 Floodplain Overlay Zone; and Part 7, Section 700 Administration to bring the same into compliance with mandatory regulations.

Motion Passed

Bob Roberts made a motion to adopt Ordinance No. 268, seconded by Steven Skok, and all were in favor.

Ordinance No. 269, re: Amending the Zoning Ordinance for Oil and Gas Development

Ordinance No. 269 was presented amending St. Marys City Code, Chapter 27, Zoning, Part 1, Section 112 Definitions; Part 2 Zone Regulations, Sections 200.4, 220.4 and 221.4; and adding Section 459 to Part 4.

Motion Passed

Daniel Hepner made a motion to adopt Ordinance No. 269, seconded by Richard Dornisch, and all were in favor.

Ordinance No. 270, re: Amending the Police Pension Plan to comply with the Internal Revenue Service

Ordinance No. 270 was presented amending the Police Pension Plan with the intention the Plan be a qualified Plan under Internal Revenue Code Section 401(a) as applied to governmental plans as defined in Internal Revenue Code Section 414(d) and the Plan is required to comply with the applicable terms of the Pension Protection Act of 2006 (PPA) and the Heroes Earnings Assistance Relief Tax (HEART) Act.

Motion Passed

Bob Roberts made a motion to adopt Ordinance No. 270, seconded by Steven Skok, and all were in favor.

Consider for Adoption: Resolution No. 11-24, re: Authorizing the submission to request reimbursement from PennDOT

Resolution No. 11-24 was presented authorizing the submission of a request for the Pennsylvania Department of Transportation to provide a fixed 50 per centum reimbursement to the City of Saint Marys for all costs incurred in relocating the City's sanitary sewer line affected by the SR 255 and SR 120 PA-DOT Highway Improvement Project in Elk County. Also, the Mayor of the City of Saint Marys be authorized and directed to sign a Utility Reimbursement Agreement on its behalf and that the Secretary (City Manager) be authorized and directed to attest the Mayor's signature on the Utility Reimbursement Agreement for the above mentioned highway project.

Richard Gabler, Jr. made a motion to adopt Resolution No. 11-24, seconded by Daniel Hepner, and all were in favor.

Award of Bid: re: Snow Removal

Snow removal bids were solicited for the Parking Garage and the four (4) City public parking lots. Requests for bids were duly advertised in the Daily Press on October 12 and October 15, 2011. A pre-bid conference was held on Wednesday, October 19th, 2011 at 10:00 a.m. in City Hall. The following Bids for Snow Removal were opened at 10:00 a.m. on Wednesday, October 26, 2011 during a public meeting at City Hall:

CITY OF SAINT MARYS COUNCIL WORKSESSION

NOVEMBER 7, 2011

BIDDER	PARKING GARAGE	DEPOT STREET LOT	BRUSSELLES STREET LOT	MARKET STREET LOT	N. ST. MARYS STREET LOT	TOTAL
Denny Anders Excavating	\$16,800	\$13,900	\$9,200	\$9,900	\$8,800	\$58,600
Krug Contracting	\$99,000	\$9,800	\$9,800	\$9,800	\$9,800	\$138,200
Kevin Auman Land Improvement Services	\$138,000	\$68,000	\$68,000	\$74,000	\$68,000	\$416,000

Councilman Dornisch questioned the large difference in the totals and Manager Greene responded the bid from Kevin Auman also included the winter of 2012.

The Manager recommended all bids be rejected and stated after a cost comparison was performed it was determined the purchase of another skid steer with the Street Department employees utilizing it and their current equipment would be more cost efficient for snow removal.

Motion Passed

Daniel Hepner made a motion to reject the bids for Snow Removal, seconded by Richard Dornisch, and all were in favor.

Motion Passed

Richard Gabler, Jr. made a motion to transfer funds within the Street Department budget to purchase a “Skid Steer”, seconded by Steven Skok and all were in favor.

Request to waive No-Parking from Apollo Theater

A letter was received from Darlene Lynch, of Apollo Theater, requesting the parking ordinance be waived for all metered on-street parking and metered and unmetered parking lots for the time period between 2:00 a.m. and 6:00 a.m. for the theater’s midnight and 3:00 a.m. opening shows on the morning of November 18th, 2011.

Motion Passed

Daniel Hepner made a motion to approve the request, seconded by Richard Dornisch, and all were in favor.

Subdivision Application for the City of St. Marys, Piper Road and Aviation Way

A Subdivision application was presented for the City of St. Marys for Piper Road and Aviation Way. The subdivision plan proposed to divide a 1.58 acre lot from an adjoining parcel, Lot 5 for the purpose of a side lot addition. The residual parcel, Lot 5 is vacant and has access to public water and sewer. No new building lots will be created as a result of this subdivision. The combined parcel, Lot 7 is 10.77 acres and is vacant with access to public water and sewage. The subdivision complies with the zoning ordinance. The Planning Commission commented that the utility information is incorrect in the following ways:

- 1. The sanitary sewer contact person has an extra “V” in front of his name.
- 2. The contact persons for the Gas Company and Water Company are reversed.
- 3. The telephone numbers for the Gas Company and Water Company are the same.
- 4. Alltel is now known as Windstream.

CITY OF SAINT MARYS COUNCIL WORKSESSION

NOVEMBER 7, 2011

5. Allegheny Power is now West Penn Power.
6. "Ridgway" is misspelled in the addresses for the gas company and the water company.
7. The owner of the property is the City of St. Marys not the Borough of St. Marys.
8. The road information notes list the roads as township roads rather than city roads.

These corrections were made on the recordation maps.

Motion Passed

Richard Dornisch made a motion to approve the subdivision application with the condition the above noted corrections were made, seconded by Steven Skok, and all were in favor.

2012 BUDGET WORKSHOP

Carol Muhitch, Finance Director presented the proposed 2012 City Budget.

Consider for publication:

Ordinance No. 272 re: Levy and Assessment of 2012 taxes

Ordinance No. 272 was presented providing for the Levy and Assessment of taxes for the City of St. Marys for the Fiscal year 2012 with the following millage rates:

12.6082 - General Revenue
 1.908 - Debt Service
 .80 - Street Lights
 1.2 - Fire Department
 .24 - Fire Hydrants
 .58 - Library
 .10 - Ambulance Service
 .90 - Parks and Recreation
 Total millage of 18.3362

Resolution No. 11-25, re: 2012 Budget for various funds for the City of St. Marys

Resolution No. 11-25 was presented for the 2012 Budget for the following various funds for the City of St. Marys.

GENERAL FUND	REVENUE	\$6,050,459
	EXPENDITURES	\$6,050,459
STREET LIGHTING FUND	REVENUE	\$174,260
	EXPENDITURES	\$174,260
FIRE PROTECTION FUND	REVENUE	\$262,389
	EXPENDITURES	\$262,389
RECREATION BOARD	REVENUE	\$369,751
	EXPENDITURES	\$369,751
LIBRARY FUND	REVENUE	\$126,339
	EXPENDITURES	\$126,339
AMBULANCE FUND	REVENUE	\$21,782
	EXPENDITURES	\$21,782
FIRE HYDRANT FUND	REVENUE	\$52,635
	EXPENDITURES	\$52,635
DEBT FUND	REVENUE	\$856,941
	EXPENDITURES	\$856,941
SEWAGE TREATMENT FUND	REVENUE	\$3,213,769
	EXPENDITURES	\$3,213,769

CITY OF SAINT MARYS COUNCIL WORKSESSION

NOVEMBER 7, 2011

Discussion

Carol Muhitch, Finance Director, explained the 2012 budget had no increase from 2011, as requested by Council. She stated the City's Department Heads provided input in order to present a workable budget.

Bob Roberts questioned when the issue with the hospitalization would be resolved and Ms. Muhitch responded there was a meeting with all of the City's employees regarding the 42 percent increase of the hospitalization costs from last year. The increase has been accommodated within the 2012 budget with the decision to not replace numerous retiring employees.

Richard Dornisch questioned if Ms. Muhitch thought there were any "weak spots" in the budget and she responded she personally believed the Street Department should replace their most recent retired employee since the previous 2 retirees were not replaced and the same amount of road work still needs to be done.

Steven Skok commented it amounts to a 20 percent reduction of workers within the Street Department.

Richard Dornisch commented if there is a reduction in the population of 20 percent you need to cut services 20 percent.

Richard Gabler commented the City did not lose 20 percent of their roads.

Manager Greene stated the budget also included an early retirement incentive for one employee and the position would not be replaced.

Mayor Geyer stated the loss of employees was offsetting the increase in the hospitalization.

Ms. Muhitch stated the budget will work if the City "sticks to the budget" but the Parking Garage costs is an unknown and a concern.

Council had a brief discussion regarding if any further budget meetings would be needed.

Council expressed their satisfaction with the proposed budget and commended Carol Muhitch for her hard work.

Motion Passed

Steven Skok made a motion to publish the 2012 budget, seconded by Richard Gabler, Jr., and all were in favor.

TOPICS FOR DISCUSSION
Land Development application for
Peter and Nancy Fragale, 1348
Bucktail Road

Land Development application was presented for Peter and Nancy Fragale for property located at 1348 Bucktail Road. The applicants are proposing the construction of a 30' x 150' mini-warehouse and a proposal of two additional 30' x 150' mini-warehouses and three 20' x 150' mini-warehouses in the future. The construction requires the approval of a special exception by the St. Marys Zoning Hearing Board according to Zoning Ordinance #227, Sections 211.3.L, 442 and 604.C. The hearing is scheduled for November 9, 2011. The first phase of construction does not require stormwater management, but the applicant is aware that subsequent

CITY OF SAINT MARYS COUNCIL WORKSESSION

NOVEMBER 7, 2011

construction will require stormwater management. The Planning Commission had no significant comments on the development.

Council had no comments.

Amending Ordinance No. 267, re:
Parking Regulations

Mayor Geyer stated the Parking Committee along with numerous residents and businesses had determined three main areas of concern regarding amending Ordinance No. 267, Parking Regulations.

Parking lots not being open 24 hours
4 hour meters to be added in the Depot Street parking lot
Parking fine being raised from \$2.00 to \$5.00

Councilman Dornisch added an area of concern on Center Street due to the limited amount of parking for the High Rise visitors.

Council had a lengthy discussion regarding the above concerns and it resulted in the following motions.

Motion Passed

Richard Dornisch made a motion to amend the Ordinance to open the City parking lots for 24 hours, seconded by Mayor Geyer.

On a roll call vote all were in favor.

Motion Passed

Daniel Hepner made a motion to add 12 hour meters to the Depot Street parking lot, seconded by Bob Roberts, and all were in favor.

Motion Denied

Richard Dornisch made a motion to amend the Ordinance to reduce the parking fine from \$5.00 to \$3.00, seconded by Mayor Geyer.

On a roll call vote motion was denied. Four opposed and two were in favor.

Manager Greene stated he would have the agreed upon changes prepared in Ordinance form for the next Council meeting.

After further discussion it was determined to order the new \$5.00 tickets so enforcement could begin, except during the already approved free parking for the Holidays.

Approval of early retirement
incentive

Manager Greene requested permission to move forward with an early retirement incentive for a City employee. Once approved, Manager Greene and the employee will come to terms that will then be presented to Council at a future meeting.

Motion Passed

Daniel Hepner made a motion to approve to move forward with the early retirement incentive as discussed in a previous Executive Session, seconded by Bob Roberts and all were in favor.

CITIZEN COMMENTS ON NON- AGENDA TOPICS

Kevin Michael Hengst

Kevin Michael Hengst approached and stated he had a problem with a police sergeant and provided Council

CITY OF SAINT MARYS COUNCIL WORKSESSION

NOVEMBER 7, 2011

with his written recollection of the event.

Mike Brock

Mike Brock approached Council and wanted to commend Council and the Oil and Gas committee for their hard work but he also wanted to make Council aware of pending PA House Bill 1950 regarding severance fees for Oil and Gas and if passed may supersede any Municipalities Ordinances or Resolutions regarding Oil and Gas regulations.

Warren Stewart

Warren Stewart asked if the City was buying attachments for a "BobCat" or buying another one and Manager Greene responded another one was being purchased.

COUNCIL COMMENTS

Bob Roberts questioned why Council was given information on the RACP Grant for the Parking Garage and Manager Greene responded to show approval was given, and it shows the funding sources and how the money was spent.

Condolences

Mayor Geyer wanted to express sympathy and condolences to the former Mayor Jim Auman and his family on their recent loss.

Special Announcement

\$150,000 has been secured through the Colcom Foundation's Marcellus Environmental Fund for the Headwaters Quality Drinking Water Project to provide families in Cameron, Clearfield, Centre, Clinton, Elk, Jefferson, McKean, and Potter Counties with funding to secure chain of custody water samples analyses of their private drinking water supplies prior to Marcellus Shale Gas Well Drilling activities. Program eligibility is determined through income level; however anyone interested in the program should apply as up to 100 samples will be taken per county. Applications are available at City Hall and any questions should be directed to Brittany Dittmore at 814-503-8653.

Certificate of Appreciation for retiring City employee

Mayor Geyer announced a Certificate of Appreciation will be given to Charles L. Cole who was City Employee for 28 years.

ANNOUNCEMENTS

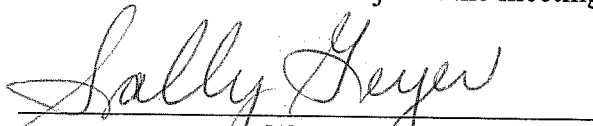
Mayor Geyer made the following announcements:

- The next Council meeting will be Monday, November 21, 2011 at 7:00 p.m. at City Hall.
- Please go out and vote!

ADJOURNMENT

Bob Roberts made a motion to adjourn the meeting.


Recording Secretary


Mayor